

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON L. JOHNSON,

Defendant.

No. CR10-5754BHS

MOTION, AFFIDAVIT AND
ORDER EXTENDING PRETRIAL
MOTIONS CUT-OFF DATE

MOTION

COMES NOW the defendant, Brandon L. Johnson, by and through his attorney, Zenon P. Olbertz for an Order extending his pretrial motions cut-off date of February 1, 2011 to February 15, 2011. The government, by and through Assistant U.S. Attorney Jesse Williams, has no objection to an extension.

THIS motion is based on the Affidavit of Zenon P. Olbertz, attached hereto.

RESPECTFULLY SUBMITTED this 28th day of January, 2011.

LAW OFFICE OF
ZENON PETER OLBERTZ
Attorney for Defendant
/s/ Zenon P. Olbertz

By: _____
Zenon P. Olbertz
WSB #6080

AFFIDAVIT

STATE OF WASHINGTON)

County of Pierce) : ss.

ZENON P. OLBERTZ being first duly sworn under oath deposes and says that I am the attorney for Brandon L. Johnson in the above-entitled matter.

That the discovery in this matter is not complete. The defense requires additional discovery to address suppression issues. The U.S. Attorney in this matter is not opposed to this motion. Therefore, the defense requests a two week extension of the present pretrial motions cutoff date.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

/s/ Zenon P. Olbertz

Zenon P. Olbertz, WSB #6080

SUBSCRIBED AND SWORN to before me this 28th day of January, 2011.

/s/ Sarah M. Heckman

NOTARY PUBLIC in and for the
State of Washington. Residing at
Tacoma. My Commission
Expires: 9/29/2013.

PROPOSED ORDER

Before this Court is the defendant's motion for extension of the pretrial motions cutoff date, which is presently scheduled for February 1st, 2011. The government having no objections to said extension, the Court finds, after a consideration of all relevant information that an extension is appropriate in this matter; the Court finds the defendant's motion for extension should be granted. The pretrial motions cut-off date of February 1st, 2011 is VACATED. The pretrial motions cut-off date shall be RESCHEDULED TO February 15, 2011.

IT IS SO ORDERED.

DONE IN OPEN COURT this 31st day of January, 2011.



BENJAMIN H. SETTLE
US District Court Judge

Presented by:

LAW OFFICE OF
ZENON PETER OLBERTZ
Attorney for Defendant

/s/ Zenon P. Olbertz

By: _____
Zenon P. Olbertz
WSB #6080

UNITED STATES ATTORNEY'S OFFICE

Approved Via E-Mail

By: _____
Jesse Williams
Assistant U.S. Attorney